

REMARKS

Claim 1 is pending in the application.

Claim 1 has been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicant regards as his invention. It is believed that this Amendment is fully responsive to the Office Action dated **December 4, 2002**.

Claim Rejections under 35 USC §112

Claims 1-2 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 has been amended and claim 2 canceled, thus rendering the above rejection moot.

Claim Rejections under 35 USC §102

Claim 1 is rejected under 35 USC §102(b) as being unpatentable over Schneider (U.S. Patent No. 5,168,961).

Independent claim 1 has been amended to further incorporate the subject matter of claim 2. By so amending, the claimed invention is patentably distinguished over Schneider. It should be noted that the claimed invention should not be rejected simply by Schneider in view of Umeda, because neither reference discloses or teaches the newly added feature "wherein a second barcode reader, which is capable of reading the barcode written on a delivery service attached note while being held by the hand, is connected to the barcode reader in parallel with each other."

It is well settled that:

"A claim is anticipated only if each and every element *as set forth in the claim* is found, either expressly or inherently described, in a single prior art reference." *Constant v. Advanced Micro-Devices, Inc.*, 848 F.2d 1567, 7 USPQ2d 1057 (Fed. Cir. 1988)."

Should the Office continue to believe that independent claim 1, as amended, is anticipated by the asserted prior art, a citation of where each and every claimed feature, either as column number and line number, or figure number and reference numeral, or a combination thereof, as disclosed in the asserted prior art is respectfully requested. Should the Office determine that any claimed feature is not disclosed in the asserted prior art, it is respectfully submitted that the claimed invention is not anticipated by the asserted prior art. Allowance of the claimed invention is then respectfully requested.

Reconsideration and withdrawal of this rejection are respectfully requested.

Claim Rejections under 35 USC §103(a)

Claim 2 is rejected under 35 USC §103(a) as being unpatentable over Schneider (U.S. Patent No. 5,168,961) in view of Umeda et al. (U.S. 6,010,064).

In rejecting the claimed invention, the outstanding Office action has specifically stated in relevant part that:

"Schneider fails to teach a second hand held barcode reader."

The Applicant agrees with the Office assessed shortcoming of Schneider.

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The subject matter of claim 2 is concurrently canceled herewith, thus rendering the rejection moot.

Reconsideration and withdrawal of this rejection are respectfully requested.

Prior Art Indicated To Be Pertinent To The Disclosure

The Office has provided a list of prior art indicated to be pertinent to the Applicant's invention. Consistent with the understanding as stipulated in MPEP 706.02 that only the best prior art should be applied, this list of prior art not having been applied by the Office, it is the Applicant's understanding that the Office must have considered the listed prior art to be no more pertinent than the applied prior art of record.

Conclusion

In view of the aforementioned amendments and accompanying remarks, claim 1, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

Attached hereto is a marked-up version of the changes made to claim 1 by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures: Version with markings to show changes made

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VERSION WITH MARKINGS TO SHOW CHANGES MADE 09/899,266

IN THE CLAIMS:

Please amend claim 1 as follows:

1. (Amended) A delivered article receiving locker cabinet comprising:

a plurality of lockers, each of which is capable of housing a delivered article and is locked, and

ten keys by which numbers, such as a room number of a delivery end and a locker number, are inputted, said locker cabinet further comprising:

a barcode reader, attached to a front face thereof, for reading a barcode written on a delivery service attached note attached to the delivered article, and

a memory for storing information read by the barcode reader;

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wherein a second barcode reader, which is capable of reading the barcode written on a delivery service attached note while being held by the hand, is connected to the barcode reader in parallel with each other.